

2009 DRAFTING REQUEST

Bill

Received: **02/12/2009**

Received By: **mglass**

Wanted: **As time permits**

Identical to LRB:

For: **Sheila Harsdorf (608) 266-7745**

By/Representing: **Matt Wuebke**

This file may be shown to any legislator: **NO**

Drafter: **mglass**

May Contact:

Addl. Drafters:

Subject: **Nat. Res. - fish and game**

Extra Copies:

Submit via email: **YES**

Requester's email: **Sen.Harsdorf@legis.wisconsin.gov**

Carbon copy (CC:) to:

Pre Topic:

No specific pre topic given

Topic:

Possession of firearms by under 12-year-olds

Instructions:

OK for trap shooting or target practice when accompanied by an adult

Drafting History:

<u>Vers.</u>	<u>Drafted</u>	<u>Reviewed</u>	<u>Typed</u>	<u>Proofed</u>	<u>Submitted</u>	<u>Jacketed</u>	<u>Required</u>
/?	mglass 03/03/2009	kfollett 03/04/2009		_____			
/1			rschluet 03/04/2009	_____	sbasford 03/04/2009		
/2	mglass 03/05/2009	kfollett 03/06/2009	rschluet 03/06/2009	_____	mbarman 03/06/2009	lparisi 04/09/2009	

* FE Sent For:

None

<END>

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/1		12kf 3/6	rschluet 03/04/2009		sbasford 03/04/2009		

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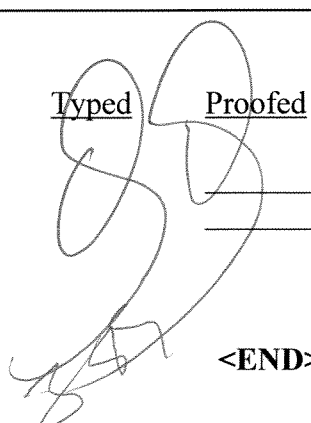
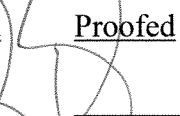
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/?	mglass	11/5/09 2/4					

FE Sent For:

<END>

D-N in edit 3/3

2009 BILL

Regen

- 1 **AN ACT to renumber 29.304 (5); to amend 948.60 (3) (a); and to create 29.304**
2 **(5) (b) of the statutes; relating to: possession and use of a firearm by a person**
3 **under the age of 12 years.**
-

Analysis by the Legislative Reference Bureau

Under current law, a minor under 12 years old may not hunt with a firearm under any circumstances and may possess a firearm only if he or she is carrying an unloaded, encased firearm with the supervision of a parent or guardian to or from a hunter education class given under the hunter education program administered by the Department of Natural Resources. He or she may use the firearm only if he or she is doing so during the class under the supervision of the instructor.

The bill creates an exception to these prohibitions that allows a minor under the age of 12 to possess and use a firearm for the purpose of target practice or trap shooting if the minor is accompanied by a person who is at least 18 years of age.

The people of the state of Wisconsin, represented in senate and assembly, do enact as follows:

- 4 **SECTION 1.** 29.304 (5) of the statutes is renumbered 29.304 (5) (a).
5 **SECTION 2.** 29.304 (5) (b) of the statutes is created to read:

BILL

29.304 (5) (b) The restrictions on the possession and control of a firearm under sub. (1) do not apply to a person using a firearm for target practice or trap shooting if he or she is accompanied by a person at least 18 years of age.

SECTION 3. 948.60 (3) (a) of the statutes is amended to read:

948.60 (3) (a) This section does not apply to a person under 18 years of age who possesses or is armed with a dangerous weapon when the dangerous weapon is being used in target practice or for trap shooting under the supervision of an adult or in a course of instruction in the traditional and proper use of the dangerous weapon under the supervision of an adult. This section does not apply to an adult who transfers a dangerous weapon to a person under 18 years of age for use only in target practice or for trap shooting under the adult's supervision or in a course of instruction in the traditional and proper use of the dangerous weapon under the adult's supervision.

(END)

D-note

**DRAFTER'S NOTE
FROM THE
LEGISLATIVE REFERENCE BUREAU**

2109
LRB-2079/1dn
MGG:kjf:rs

~~February 25, 2009~~

1. As instructed, I have limited this draft only to trap shooting. Please let me know if you want to also include any other type of clay pigeon shooting.
2. Let me know if you would like a delayed effective date.

Mary Gibson-Glass
Senior Legislative Attorney
Phone: (608) 267-3215

**DRAFTER'S NOTE
FROM THE
LEGISLATIVE REFERENCE BUREAU**

LRB-2109/1dn
MGG:kjf:rs

March 4, 2009

1. As instructed, I have limited this draft only to trap shooting. Please let me know if you want to also include any other type of clay pigeon shooting.
2. Let me know if you would like a delayed effective date.

Mary Gibson-Glass
Senior Legislative Attorney
Phone: (608) 267-3215

Gibson-Glass, Mary

From: Wuebke, Matt
Sent: Wednesday, March 04, 2009 3:06 PM
To: Gibson-Glass, Mary
Subject: Submitted: LRB 09-2109/1 Topic: Possession of firearms by under 12-year-olds?body=

Hi Mary,

Thank you for the draft of the bill relating to target and trap shooting by individuals under 12 years old. We would like the draft to clarify that the person under 12 years old must be accompanied by a parent, guardian, or adult that has the permission of the parent or guardian. We would like the parameters to be tighter than just an adult. If you could reflect that change in a redraft for us, I would appreciate it.

Thanks,
Matt

Matt Wuebke
Office of Senator Sheila Harsdorf
Tel: 800-862-1092 or 608-266-7745
matt.wuebke@legis.wisconsin.gov



State of Wisconsin
2009 - 2010 LEGISLATURE

LRB-2109/1

MGG:kjf:rs

in edit
3/5

2

RMR

2009 BILL

Regen

a parent or guardian or by ~~the person~~

and who has been designated
by the parent or guardian

- 1 AN ACT *to renumber* 29.304 (5); *to amend* 948.60 (3) (a); and *to create* 29.304
2 (5) (b) of the statutes; **relating to:** possession and use of a firearm by a person
3 under the age of 12 years.

Analysis by the Legislative Reference Bureau

Under current law, a minor under 12 years old may not hunt with a firearm under any circumstances and may possess a firearm only if he or she is carrying an unloaded, encased firearm with the supervision of a parent or guardian to or from a hunter education class given under the hunter education program administered by the Department of Natural Resources. He or she may use the firearm only if he or she is doing so during the class under the supervision of the instructor.

The bill creates an exception to these prohibitions that allows a minor under the age of 12 to possess and use a firearm for the purpose of target practice or trap shooting if the minor is accompanied by a person who is at least 18 years of age.

The people of the state of Wisconsin, represented in senate and assembly, do enact as follows:

- 4 SECTION 1. 29.304 (5) of the statutes is renumbered 29.304 (5) (a).
5 SECTION 2. 29.304 (5) (b) of the statutes is created to read:

BILL**SECTION 2**

a parent or guardian or by a person who is at least 18 years of age and who is ~~also~~ designated by the his or her parent or guardian

1 29.304 (5) (b) The restrictions on the possession and control of a firearm under
2 sub. (1) do not apply to a person using a firearm for target practice or trap shooting
3 if he or she is accompanied by a person at least 18 years of age.

SECTION 3. 948.60 (3) (a) of the statutes is amended to read:

5 948.60 (3) (a) This section does not apply to a person under 18 years of age who
6 possesses or is armed with a dangerous weapon when the dangerous weapon is being
7 used in target practice or for trap shooting under the supervision of an adult or in a
8 course of instruction in the traditional and proper use of the dangerous weapon
9 under the supervision of an adult. This section does not apply to an adult who
10 transfers a dangerous weapon to a person under 18 years of age for use only in target
11 practice or for trap shooting under the adult's supervision or in a course of instruction
12 in the traditional and proper use of the dangerous weapon under the adult's
13 supervision.

(END)

INS 2-14

2009-2010 DRAFTING INSERT
FROM THE
LEGISLATIVE REFERENCE BUREAU

LRB-2109/2ins
MGG:.....

Insert 2-14

SECTION 1. 948.60 (3) (a) of the statutes is amended to read:

948.60 (3) (a) This section does not apply to a person under 18 years of age who possesses or is armed with a dangerous weapon when the dangerous weapon is being used in target practice or for trap shooting under the supervision of ~~an~~ any of the following:

1. A parent or guardian or an adult who is designated by the person's parent or guardian.

2. An adult or in during a course of instruction in the traditional and proper use of the dangerous weapon under the supervision of an adult.

(am) This section does not apply to an a supervising parent, guardian, or adult, as specified under par. (a), who transfers a dangerous weapon to a person under 18 years of age for use only in target practice under the adult's supervision or for trap shooting or in during a course of instruction in the traditional and proper use of the dangerous weapon under the adult's supervision.

History: 1987 a. 332; 1991 a. 18, 139; 1993 a. 98; 1995 a. 27, 77; 1997 a. 248; 2001 a. 109; 2005 a. 163.

SECTION #. 948.60 (3) (a) 1.; CR

948.60 (3) (a)

renumbered 948.60
(3) (a)
(intro.) and

change
Component

no scoring

Parisi, Lori

From: Woebke, Matt
Sent: Thursday, April 09, 2009 3:59 PM
To: LRB.Legal
Subject: Draft Review: LRB 09-2109/2 Topic: Possession of firearms by under 12-year-olds

Please Jacket LRB 09-2109/2 for the SENATE.